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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/02/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.2139 of 2021

Jaisingh @ Jaisling Lazerus ... Petitioner/Accused No.3

Vs

State of Tamil Nadu,
Represented by The Inspector of Police,
Kotticode Police Station,
Kanyakumari District.
Crime No.88/2018,
U/s.25(1) (a) of Indian Arms Act. ... Respondent/Complainant

For Petitioner : Mr.S.Titus,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

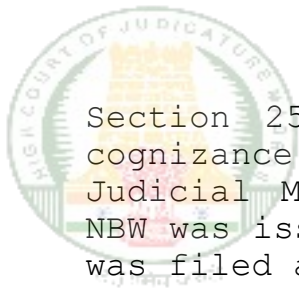
PRAYER :-For Anticipatory Bail in Crime no.88 of 2018 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under section 25(1) (a) of Indian Arms Act, in Crime No.88 of 2018 on the file of the respondent police, seeks anticipatory bail.

3. When the petitioner earlier moved the petition for anticipatory bail before this Court, it was submitted by the prosecution that no case was registered against the petitioner herein. Now the petitioner has come to know that he has been implicated at the time of filing final report in Crime No.88 of 2018 registered on the file of the respondent for the offence under



Section 25(1)(a) of Indian Arms Act. The Court below has taken cognizance of the offence in P.R.C.No.22 of 2020 on the file of the Judicial Magistrate No.I, Padmanabhapuram. It is also stated that NBW was issued against the petitioner and an absconding charge sheet was filed against the petitioner.

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4. Considering the lapse of time and the fact that the final report has been filed, I am of the view that the arrest of the petitioner is not going to serve any purpose. Therefore, the petitioner is permitted to appear before the Court below on 23.02.2021 and apply for recall of warrant.

5. On such application being filed, the learned committal Magistrate shall recall the warrant on the same day. In other words, the petitioner will not be remanded to custody. Till then, the NBW will be kept in abeyance.

6. This criminal original petition is allowed on these terms.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : 1.In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.THE JUDICIAL MAGISTRATE NO.I, PADMANABHAPURAM

2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
KOTTICODE POLICE STATION, KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.S.TITUS, Advocate (SR-912[I] dated 11/02/2021)

ORDER IN

CRL OP(MD) No.2139 of 2021

Date :11/02/2021

PMU

<https://hcsjudgesecourtscs.gov.in/fcservices/> 11/02/2021) 2P / 6C